

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27504 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- MAHINDWARA District- Sitamarhi

VIKRAM RAI @ BAIJU RAI @ BAIJU RAY son of Ratneshwar Ray @
Niteshwar Rai @ Nitte Rai Village- ward no-14, Koahi Po- Govind Pitoajhiya
Mahesha Farrukhpur Ps- Runnisaidpur Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of I.P.C. & Sections 30(a) and 36 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 252.25 liters of liquor from a hut.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, and he came to be implicated based on the confessional statement of co-accused in police custody, which does not have any evidentiary value. It is



also submitted petitioner is not the owner of the hut.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahindwara P.S. Case No. 36 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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